

CHAPTER CXL.

An Act to provide for the survey, location and improvement of a state road from Duluth to Vermillion Lake, in St. Louis county.

March 6, 1888.

- SECTION 1. Board of County Commissioners authorized to appoint engineer—for what purpose.
2. How compensation fixed—to give bond conditioned for faithful performance of duties—in what sum.
 3. Duties of engineer.
 4. When to be deemed a public road.
 5. To make monthly report to County Auditor—what report to contain.
 6. Amount appropriated to defray the expenses.
 7. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

To appoint en-
gineer—for what
purpose.

SECTION 1. The board of county commissioners of the county of St. Louis are hereby authorized and it shall be their duty to appoint and employ a competent surveyor to survey, locate and establish a state road from Duluth to Vermillion Lake, in the county of Saint Louis, and to superintend the construction of bridges and ferries thereupon and the improvement of said road.

How compensa-
tion fixed—to
give bonds—in
what sum.

SEC. 2. The said engineer shall receive such compensation for his services rendered in pursuance of this act as shall be agreed upon by the board of county commissioners of said county, and before entering upon the discharge of his said duties he shall enter into a bond to the state of Minnesota, with one or more sufficient sureties, to be approved by the chairman of the board of county commissioners of said county, in the sum of ten thousand dollars, conditioned for the faithful discharge of all the duties imposed by this act, which said bond shall be filed in the office of the county treasurer of said county.

SEC. 3. It shall be the duty of the said engineer to survey and locate a state road by the most direct and practicable route from Duluth to Vermillion Lake in the

said county of St. Louis, and to make and file in the office of the register of deeds of said county, on or before the first day of November, one thousand eight hundred and sixty-eight, a correct plat of the survey of said road, describing the same by courses and distances and the points of beginning and termination thereof. He shall also superintend the improvement of the said road and the construction of bridges and ferries across the principal streams thereupon, so as to render the said road available for immediate summer use, and for the purpose of surveying, locating and improving the said road; he shall have power to employ such assistance and procure such material as he shall deem necessary to be employed and used therein.

Duties of engineer.

SEC. 4. Upon the completion of the said survey and the filing of the plat thereof as hereinbefore provided, the said road shall be deemed and is hereby declared to be a public highway, subject to the provisions of the general statutes of this state relating to public highways.

When deemed a public road.

SEC. 5. The said engineer shall once in each month while engaged in the survey, location and improvement of said road, report to the county auditor of said Saint Louis county, the labor performed and the progress made upon such survey and improvement, which said report shall contain a true and detailed statement of the amount and value of all labor and material expended and used in surveying, locating and improving said road, and the account thereof shall be audited by the board of county commissioners of said county, and the amount so audited and allowed thereupon shall be certified by the county auditor of said county, under his seal of office, and the certificate thereof transmitted to the state auditor, and the state auditor upon presentation of any such certificate shall draw his warrant on the state treasurer for the amount so certified, not exceeding in the aggregate the sum hereinafter appropriated for the purpose of carrying out the provisions of this act, payable out of the funds hereinafter provided therefor.

To make monthly report to Auditor—what to contain.

SEC. 6. The sum of five thousand dollars is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, arising from the sale of public lands, in pursuance of the fifth subdivision of section five of an act of the congress of the United States, entitled "an act to authorize the people of Minnesota to form a constitution and state government" &c., passed February twen-

Amount appropriated to defray expenses.

ty-sixth, one thousand eight hundred and fifty-seven, for the purpose of and to be expended in the survey, location and improvement of the said road in the manner hereinbefore prescribed. *Provided*, That in case of moneys in the state treasury applicable to the purposes of this act according to the foregoing provisions of this section, are insufficient to meet the appropriation of five thousand dollars, the amount of such deficiency is hereby appropriated and shall be payable out of any moneys in the state treasury not otherwise appropriated, belonging to the general revenue fund, for the purpose of surveying, locating and improving said road.

When act to take effect.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 6, 1868.

CHAPTER CXLI.

An Act to amend an act entitled "an act to amend an act, entitled an act to amend an act entitled an act to provide for the location and construction of a State Road from the vicinity of St. Cloud to Lake Superior, approved March fourth, eighteen hundred and sixty-four."

March 6, 1868.

SECTION 1. Amend by striking out "four," and inserting eight.

2. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

Strike out 'four' and insert eight.

SECTION 1. That section one of an act approved March first, one thousand eight hundred and sixty-six, entitled "an act to amend an an act entitled an act to amend an act, entitled an act to provide for the location and construction of a state road from the vicinity of St. Cloud to Lake Superior, approved March fourth, eighteen hundred and six-